

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MARY ORINGDERFF,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of the Social Security
Administration,

Defendant.

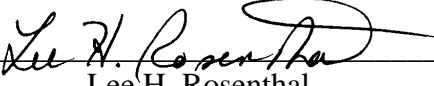
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CIVIL ACTION NO. H-09-1177

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION AND
REMANDING CASE**

This court has reviewed the Memorandum and Recommendation on the Plaintiff's Motion for Summary Judgment of the United States Magistrate Judge signed on September 10, 2010 and made a *de novo* determination. Rule 72(b), Fed. R. Civ. P.; 28 U.S.C. § 636(b)(1)(C); *United States v. Wilson*, 864 F.2d 1219 (5th Cir. 1989). Based on the pleadings, the record, and the applicable law, the court adopts the Memorandum and Recommendation as this court's Memorandum and Order. This court finds and concludes that the Administrative Law Judge's decision denying social security benefits was not supported by substantial evidence and that remand is required so that the record may be developed fully. Accordingly, the plaintiff's motion for summary judgment is granted and this matter is remanded under sentence four of 42 U.S.C. § 405(g) to allow the plaintiff's claim to be considered in light of a more developed record following the agency's relevant internal procedures to provide the plaintiff with a full and fair hearing.

SIGNED on September 27, 2010, at Houston, Texas.



Lee H. Rosenthal
United States District Judge